

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>KYLE BENGSTON,</b>	)	
	)	
<b>PLAINTIFF,</b>	)	
	)	
<b>v.</b>	)	<b>3:06-cv-00569-MEF</b>
	)	
	)	
<b>DAVID BAZEMORE, O.D. et. al</b>	)	
	)	
<b>DEFENDANTS.</b>	)	

**NOTICE CONCERNING SETTLEMENT  
CONFERENCE AND MEDIATION**

Pursuant to this Court's Scheduling Order, the parties in this matter conducted a face to face settlement conference on August 24, 2007. During that conference, the parties engaged in good faith settlement discussions. During said conference, settlement was not reached between the parties. Furthermore, the parties do not believe that mediation would be helpful, in potentially settling this matter at this time.

Done this the 31<sup>st</sup> day of August, 2007.

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